

REMARKS

Claims 17-23 are currently pending, wherein claims 17 and 23 have been amended to correct a typographical error. Favorable reconsideration is respectfully requested in view of the remarks presented herein below.

In paragraph 2 of the Office action ("Action"), the Examiner rejects claims 17-19 and 23 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0156732 to Odijk et al. ("Odijk") in view of U.S. Patent Application Publication No. 2002/0029189 to Titus et al. ("Titus"), further in view of U.S. Patent No. 6,760,417 to Wallenius ("Wallenius"). Applicants respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. § 103, the Examiner must establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness three criteria must be met. First, there must be some rationale to combine the cited references. Second, there must be a reasonable expectation of success. Finally, the combination must teach each and every claimed element. In the present case, claims 17-19 and 23 are patentable over the combination of Odijk, Titus, and Wallenius for at least the reason that the combination fails to disclose each and every claimed element as discussed below.

Independent claim 17 defines a method for managing customer accounts in connection with a Pre-Paid platform. The method includes, *inter alia*, receiving, at a proxy, a request for service from a subscriber; determining, at the proxy, a service code associated with the requested service; sending charge data, including the service code, to a charging module; converting, in the charging module, the received charge data and service code into a predefined format accepted by the Pre-Paid platform; sending the converted charge data to the Pre-Paid platform; receiving an indication from the Pre-Paid platform as to whether the subscriber has an adequate balance to cover the requested service; and controlling, by the proxy, whether or not the requested service is provided based on the received indication.

Odijk discloses a method for delivering services to both pre-paid and post-paid customers. The method includes a mediator system that receives customer requested content from a content provider and allows or refuses the content to be provided to the customer based on the customer's billing data. The payment/billing server 27 takes care of charging the customer's prepaid account or sends a service detail record to the telecom service provider's

billing services to include the content in the next bill (i.e. for post-paid customers). However, nowhere in Odijk is there any disclosure or suggestion of: sending charge data, including the service code, to a charging module; converting, in the charging module, the received charge data and service code into a predefined format accepted by the Pre-Paid platform; sending the converted charge data to the Pre-Paid platform; receiving an indication from the Pre-Paid platform as to whether the subscriber has an adequate balance to cover the requested service as claimed.

Titus discloses a prepaid short messaging system that uses open network standards to support pre-payment of enhanced Internet messaging services. The system includes a pre-paid tariff engine which is invoked to determine the appropriate message billing based upon a predefined classes of service such as flat rate per message, message count (e.g., 10 messages @ \$5.00), character count (e.g., \$0.01/char), time of day, time of week, and/or mobile location. Although Titus discloses service providers may create subscriber classes of service that define and uniquely identify subscriber rate and/or tariffing plans, Titus fails to disclose or suggest sending charge data, including the service code, to a charging module and converting, in the charging module, the received charge data and service code into a predefined format accepted by the Pre-Paid platform, or sending the converted charge data to the Pre-Paid platform and receiving an indication from the Pre-Paid platform as to whether the subscriber has an adequate balance to cover the requested service as claimed.

Wallenius discloses a method and system for charging a subscriber in a telecommunications network wherein the subscriber's charging data can be located outside the network used in a subscriber identity module or behind an open service architecture associated with the network. The method includes, reporting event data related to services used by the subscriber to a mediator unit which converts in nearly real-time the event data into charge data by applying the network charging algorithms, the charge data being expressed as an amount of money spent or as charging pulses. The charge data is then provided to the subscriber's billing unit. Although Wallenius discloses converting into charge data, Wallenius fails to disclose or suggest converting, in the charging module, the received *charge data and service code* into a predefined format *accepted by the Pre-Paid platform*; and sending the converted charge data to the Pre-Paid platform as claimed.

Since Odijk, Titus, and Wallenius each fail to disclose or suggest sending charge data, including the service code, to a charging module; converting, in the charging module, the received charge data and service code into a predefined format accepted by the Pre-Paid platform; sending the converted charge data to the Pre-Paid platform; receiving an indication from the Pre-Paid platform as to whether the subscriber has an adequate balance to cover the requested service as claimed, the combination of these three reference cannot possibly disclose or suggest said elements. Therefore, even if one skilled in the art had some rationale to combine Odijk, Titus, and Wallenius (which Applicants do not concede), the combination would still fail to render claim 17 unpatentable because the combination fails to disclose each and every claimed element.

The application is in condition for allowance. Notice of same is earnestly solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Penny Caudle Reg. No. 46,607 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

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Respectfully submitted,

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